HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

C.R.No.4411 of 2004.
Date of decision : 14.11.2006.

Dr.Gurmeet Singh .....Petitioner
versus
Harpal Singh and another .....Respondents

CORAM : HON'BLE MR. JUSTICE HEMANT GUPTA.

Present : Mr.Amarjit Markan, Advocate for the petitioner

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ORDER

HEMANT GUPTA, J. (Oral)

The challenge in the present revision petition is to the order dated 13.8.2004, passed by the learned trial Court, whereby application filed by the plaintiff to consolidate the suit for injunction with another suit for possession filed by him, was dismissed. But it was directed by the learned trial Court that both the cases shall be taken up on the same day and shall be decided on the same date.

Learned counsel for the petitioner has vehemently argued that after grant of ad-interim injunction, plaintiff was dispossessed and plaintiff has to file a separate suit for possession. But I do not find any ground to interfere with the order passed by the learned trial Court as it has been directed by the learned trial Court that both the cases have to be decided together. However, it is open to the trial Court to consider the application, if any filed, to the effect that common evidence be recorded in both the cases which may facilitate proper adjudication of both the suits.

The revision petition stands disposed of accordingly.

(HEMANT GUPTA)
JUDGE

November 14, 2006
**mohinder*